



Entered on Docket
November 08, 2011

A handwritten signature in black ink, appearing to read "R. Bie".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR

CHAPTER 11

**Order Granting USACM Liquidating
Trust's Motion to Allow In Part Proof of
claim No. 10725-02416 in the Amount of
\$521,406.20 by Gerry Topp**

Hearing Date: October 18, 2011

Hearing Time: 1:30 p.m.

The Court having considered the USACM Liquidating Trust's Motion to Allow In Part Proof of Claim No. 10725-0216 In the Amount of \$521,406.20 filed by Gerry Topp as

1. The Motion [DE 9139] is granted;
2. Proof of Claim No. 10725-02416 filed by Gerry Topp is allowed in part as an unsecured non-priority claim in the amount of \$45,788.99. This portion of the claim relates to an investment in the Amesbury Hatters Pont Loan; and

1 3. This Order does not relate to or impact Proof of Claim No. 10725-02416 to
2 the extent that it is based upon an investment in a different loan.

3 PREPARED AND RESPECTFULLY SUBMITTED BY:

4 **LEWIS AND ROCA LLP**

5 By /s/ John Hinderaker (AZ #018024)

6 Robert M. Charles, Jr.

7 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

| | |
|---|---|
| U.S. Trustee: <u>Augie Landis</u> | |
| <input type="checkbox"/> approved the form of this order | <input type="checkbox"/> disapproved the form of this order |
| <input checked="" type="checkbox"/> waived the right to review the order and/or | <input type="checkbox"/> failed to respond to the document |
| Other Party: _____ | |
| <input type="checkbox"/> approved the form of this order | <input type="checkbox"/> disapproved the form of this order |
| <input type="checkbox"/> waived the right to review the order and/or | <input type="checkbox"/> failed to respond to the document |

Submitted by:

LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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